REMARKS

Claims 24, 26, 28-31, 33-39, and 41-46 are pending in the present application. Claims 24, 28-31, and 33-36 have been amended. Claims 24, 28, and 36 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejections in view of the above amendments and the following remarks.

Statement of Substance of Interview

Applicant wishes to thank Examiner Yu Gu for taking the time to discuss the present application with Applicant's representative, Jason Rhodes (Reg. No. 47,305), during the telephonic interview conducted on January 5, 2010.

Claims Discussed: Claim 24.

Prior Art Discussed: Wallentin et al. (US 6,292,667); and Ahmavaara et al. (US 6,792,278).

Proposed Amendment: Proposed amendments to claim 24 were discussed during the interview. These proposed amendments have been incorporated into claim 24 above.

General Results: During the interview, the Examiner and Applicant's discussed amendments for overcoming the current grounds of rejection. The Examiner agreed that amendment of claim 24 regarding the "active signal connection" would overcome the rejection 35 U.S.C. § 112, 2nd paragraph. The Examiner also requested that claim 24 be amended to clarify that the radio network controller includes, and its functionality is distributed among, the "at least two controllers." The Examiner agreed that the aforementioned amendments would likely overcome the current grounds of rejection. However, the Examiner indicated that an update search based on the amendments would be necessary.

Rejection Under 35 U.S.C. § 112

Claims 24, 26, 28-31, 33-39, and 41-46 stand rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite. Particularly, as to the claimed feature of "determining whether an active signal connection currently exists between the mobile communication terminal and the radio access network or the core network," the Examiner asserts that the "active signal connection" is not definite in this context. Without conceding the validity of this rejection, Applicant has amended independent claims 24, 28, and 36 to further define the "active signal connection" as "comprising a dedicated channel between the mobile communication terminal and the radio access network or the core network for signal communications." As agreed upon by the Examiner during the telephonic interview of January 5, 2010, such amendment is sufficient to overcome the rejection under § 112, 2nd paragraph. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

Rejection Under 35 U.S.C. § 103

Claims 24, 26, 28-31, 33-39, and 41-46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wallentin in view of Ahmavaara. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Independent claim 24 currently recites, *inter alia*, the following features:

> "receiving at the first controller **in the radio network controller** the paging message transmitted from the core network to the radio access network
>
> **judging** at the first controller **a transmission destination of the paging message** by:
>
> > **determining whether an active signal connection currently exists** between the mobile communication terminal and the radio access network or the core network, said active signal connection comprising a dedicated channel between the mobile communication terminal and the radio access network or the core network for signal communications, ... ,
> >
> > **when the active signal connection is determined to currently exist, judging the transmission destination to be one of the at least two controllers in the radio network controller that controls the signal connection**, and
> >
> > when the active signal connection is not determined to currently exist, judging the transmission destination to be one of the at least two controllers that controls a predetermined base station of the base stations or one of the base stations that is identified from the paging message; and
>
> **transmitting from the first controller the paging message to the transmission destination,**
>
> wherein a function of the radio network controller of controlling communications between the core network and the base stations **is distributed among the at least two controllers in the radio network controller**"

(emphasis added). Independent claims 28 and 36 recite similar features. Applicant respectfully submits that Wallentin and Ahmavaara, when considered separately or in obvious combination, do not teach or suggest the above claim features.

As to Wallentin, this reference does not teach or suggest determining whether an active signal connection currently exists between the mobile communication terminal and the radio access network or core network, as claimed. It is noted that the Examiner's Response to Arguments states the following:

> "With regard to the interpretation of the limitation *an active signal connection*, in the absence of a clear definition from the specification, the Examiner broadly interprets 'an active signal connection' as any communications exist between the mobile and the radio access network (e.g. a BTS), and such communications might be control or periodical signaling between the BTS and the mobile it serves."

(Office Action of 11/30/2009, page 14, 1st paragraph). However, Applicant has amended independent claims 24, 28, and 36 to further define the "active signal connection" as "comprising a dedicated channel between the mobile communication terminal and the radio access network or the core network for signal communications."[1] As agreed upon during the telephone interview of January 5, 2010, Wallentin does not teach or suggest determining whether such an active signal connection currently exists.

Furthermore, as to Ahmavaara, this reference fails to teach or suggest determining whether an active signal connection exists for the purposes of **judging the transmission destination of a paging message**, and **transmitting the paging message to the transmission destination**, as required by the claims. Instead, Ahmavaara teaches the following:

> "As the controller RNC immediately receives a paging request for IMSI2, it checks 301 the paging database 101. As a result of that check, [it] finds information about the location of the mobile station identified as IMSI2. Therefore, the controller RNC immediately sends a RESPONSE message to the switching center MSC. **The paging process proper may thus be skipped**"

(col. 4, lines 33-39; emphasis added). Because Ahmavaara's controller RNC skips the paging process proper, this means that it will **not** transmit the paging message any further after it finds the location information for the mobile station. Therefore, Ahmavaara **teaches away** from **judging a transmission destination of the paging message** by determining whether an active signal connection currently exists, and **transmitting the paging message to the transmission destination**, as claimed.

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[1] Such amendment is supported in the original specification at, e.g., page 15, lines 25-30 (describing that a signal connection requires physical channel setting); page 2, lines 21-24 (describing that a signal connection may be formed by a channel); in combination with inherent properties of a signal connection, as disclosed in the specification, as would be understood by persons ordinarily skilled in the art.

Furthermore, Applicant submits that neither Wallentin nor Ahmavaara teaches or suggests that the radio network controller comprises at least two controllers among which is distributed a function of the radio network controller in controlling communications between core network and the base stations, as presently claimed.

In view of the foregoing, it is respectfully submitted that Wallentin and Ahmavaara, when considered separately or in obvious combination, fail to teach every feature recited in independent claims 24, 28, and 36.

At least for the reasons set forth above, Applicant submits that independent claims 24, 28, and 36 are in condition for allowance. Accordingly, claims 26, 29-31, 33-35, 37-39, and 41-46 are each allowable at least by virtue of their dependency on an allowable independent claim. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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